



Policy Name: **Elected Members Allowances and Support Policy**

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## **1. ELECTED MEMBERS ALLOWANCES AND SUPPORT POLICY**

The District Council of Coober Pedy will ensure that the payment of Elected Members allowances and the reimbursement of expenses is accountable and transparent, and in accordance with the Local Government Act 1999 and Local Government (Members Allowances and Benefits) Regulations 2010.

This Policy summarises the provisions of the Act and Regulations in respect to Elected Members' allowances, expenses and support, sets out the types of expenses and the circumstances in which those expenses will be reimbursed. In setting this policy, Council took into consideration the overall support provided to Elected Members and facilities/services provided pursuant to Sections 76/77, and 78 of the Act.

The Elected Members allowances contained within this policy will be reviewed Annually, and this policy, in its entirety, will automatically lapse at the next General Election of Council.

## **2. THE LOCAL GOVERNMENT ACT 1999 ("THE ACT")**

Section 77(1)(b) of the Act provided that Council may approve the reimbursement of certain prescribed expenses incurred by Elected Members, either on an individual basis or under a policy adopted by Council. Regulation 6 sets out the types of expenses that may be reimbursed under Section 77(1)(b).

This policy has been developed and adopted in accordance with Section 77(1)(b) of the Act to specify the types of expenses that will be reimbursed without the specific approval of Council, and the process for Elected Members to obtain reimbursement of those expenses.

## **3. THE PRINCIPLES OF THE POLICY**

This policy is underpinned by the following principles:

Elected Members should not be out-of-pocket as a result of performing and discharging their Council functions and duties.

Any reimbursements claimed by Elected Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties.

Elected Members are entitled to receive:

An annual allowance as provided in Section 76 of the Act and Regulation 4;  
Reimbursement of prescribed travelling and child/dependent care expenses associated with attendance at Council/Committee meetings, pursuant to Section 77(1)(a) of the Act and Regulation 5.

Council has also agreed to:

Reimburse certain prescribed expenses pursuant to Section 77(1)(b) of the Act and Regulation 6;  
Provide Elected Members with facilities and support to assist them in performing and discharging their functions and duties pursuant to Section 78 of the Act.

#### **4. ROLES AND RESPONSIBILITIES**

This policy will apply to all Elected Members.

The Chief Executive Officer is responsible for:

- Implementing expense reimbursement procedures in accordance with this policy;
- Maintaining a Register of Allowances and Benefits as prescribed in Section 79 of the Act and Regulation 7;
- Implementing a review of allowances paid to Elected Members annually, pursuant to Section 76(9) of the Act;
- Ensuring a copy of this policy is available for inspection at no cost to the public.

#### **5. ENTITLED ALLOWANCES AND REIMBURSEMENTS**

##### **Allowances**

Elected Members are not paid a salary however they receive an allowance. This allowance acknowledges the commitment Elected Members make to their community to attend Council and Committee Meetings, to attend civic and community functions, the extra hours of preparation and reading required to adequately represent the community and make informed decisions and responding to ratepayer requests and queries.

The independent Remuneration Tribunal has set elected members allowances, to take effect from the first ordinary meeting of Council following the November 2014 elections.

The Remuneration Tribunal must make determinations under this section on a 4 yearly basis before the designated day in relation to each set of periodic elections held under the Local Government (Elections) Act 1999.

District Council of Coober Pedy falls into Group 5 and equates to the following amounts adjusted immediately at the third anniversary:

-\$5,700- Annual allowance for a Councillor (Paid monthly in arrears on the last working day of that month).

-\$22,800- Principal member (Mayor) which is equal to four (4) times the annual allowance for Elected Members (Paid monthly in advance on the last working day of that month).

-\$7,125- Deputy Mayor or a Councillor who is presiding member of one or more standing committees established by Council which is 1.25 times the annual allowance for Elected Members. (Paid monthly in arrears on the last working day of that month).

An additional allowance in the form of a Siting Fee has been introduced for a Councillor who is the Presiding Member of a committee (other than the Principal member or Deputy Principal member, Chairperson or Deputy Chairperson or a Presiding Member of a prescribed committee) at the following rate:- Group 5 - \$100 per meeting limited to an aggregate amount of \$600 per annum.

An Annual CPI review of allowances paid to Council Members (to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the CPI under the scheme prescribed by the Regulations) will be implemented. For the purpose of section 76(9) of the Act, an allowance is to be adjusted by multiplying the allowance by proportion obtained by dividing the CPI for the September quarter immediately before the date on which the allowance was determined under Section 76 (with the amount so adjusted being rounded up to the nearest dollar).

## **Travel and Dependent Care**

In addition to any allowance paid under Section 76 of the Act, Elected Members are entitled to receive reimbursement for travelling within the area of Council and dependent care expenses associated with attendance at Council and Committee meetings pursuant to Section 77(1)(a) of the Act as detailed below:

- Reimbursement is restricted to “eligible journeys” (as defined in Regulation 3) by the shortest or most practicable route and to the part of the journey within the Council area i.e any travelling outside the Council area in order to attend Council or Committee meetings is provided by this policy under “Additional Reimbursement and Support”.
- Where an Elected Member travels by private motor vehicle, the reimbursement is based on rates periodically released by the Australian Taxation Office. Prescribed in Section 28-25 of the Income Tax Assessment Act 1997. Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses “actually and necessarily incurred”, but is still limited to “eligible journeys” by the shortest or most practicable route and or to the part of the journey that is within the Council area.
- Child/dependent care expenses are not reimbursed if the care is provided by a relative of the Member who ordinarily resides with the Member. A definition of “relative” is contained in Section 4 of the Act.

## **6. ADDITIONAL REIMBURSEMENT AND SUPPORT**

Pursuant to Section 77(1)(b) of the Act, Council also approves the reimbursement of expenses and support to Elected Members as described below:

### **Travelling Expenses**

In addition to eligible journeys (as defined in Regulation 3), Elected Members are entitled to receive reimbursement for expenses actually and necessarily incurred in travelling to a function or activity on the business of Council. The following conditions apply to these expenses:

- Travel both within and outside the Council area must be incurred by the Elected Member as a consequence of attendance at a function or activity on the business of Council. A “function or activity of Council” means official Council functions, opening ceremonies, dinners, citizenship ceremonies and official visits etc; inspection of sites within the Council area which relate to Council or Committee agenda items, attendance at meetings of community groups and organisations as a Council appointed delegate (but not to attend meetings of community groups or organisations when fulfilling the role of local representative, as the Elected Member allowances provide for this).
- Reimbursement is restricted to the shortest or most practicable route.
- Where an Elected Member travels by private motor vehicle, the rate of reimbursement is as prescribed in Section 28-25 of the Income Tax Assessment Act 1997.
- Travelling to represent Council outside the Council area will be effected by the use of a Council pool vehicle wherever possible, except where air travel is arranged.
- Where this is impractical or no Council vehicle is available, an Elected Member may provide their own mode of transport with reimbursement to be either at the appropriate per kilometre rate, or the equivalent airfare.
- Travel by taxi, bus, plane or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred, but is still limited to the “shortest or most practicable route”.

### **Other Expenses**

Pursuant to Section 77(1)(b) of the Act Council approves reimbursement of:

- Expenses incurred for the care of a child of the Elected Member or a dependent of the Member requiring full time care as a consequence of the Member’s attendance at a function or activity on the business of Council.

- Expenses incurred by the Member as a consequence of the Elected Member's attendance at a conference, seminar, training course or other similar activity that is directly or closely related to the performance or discharge of the roles or duties of the Member. Expenses will only be reimbursed for attendance at conferences, seminars, etc which have been approved by Council before the holding of the conference, seminar etc. The following types of expenses will be reimbursed – airfares, registration fees, accommodation, meals, taxi, carparking and other Council related incidentals incurred at the function.
- Members will be provided with a daily meal allowance of \$70 per night away.
- Expenses incurred in the use of a telephone, internet, facsimile or other communication device on the business of the Council, e.g. internet access to LGA website.

## **Facilities and Support**

Pursuant to Section 78 of the Act, Council approves to make available to Elected Members the following facilities and support to assist them in performing or discharging their official Council functions and duties:

- The supply of appropriate stationery items.
- Limited secretarial support.
- In addition to the above, Council approves to make available to the Mayor the following facilities and support to assist the Mayor in performing and discharging official Council functions and duties:
  - Appropriate office space (i.e. the Mayor's Office)
  - Clerical assistance
  - Mobile Telephone
  - Motor Vehicle – Full private use.
  - Business Cards
  - Corporate Credit Card.
- These facilities and services are made available on the following basis:
  - They are necessary or expedient for the Member to perform or discharge his/her official functions or duties.
  - The facilities remain the property of Council and will not be used for a purpose unrelated to official functions and duties unless the use has been approved by Council and the Member has agreed to reimburse Council for any cost associated with that use.
- Insurance – Public/Professional Liability – Indemnifies Elected Members, but only in connection with their role as Councillors.

## **7. EXPENSES AND SUPPORT REQUIRING COUNCIL APPROVAL**

All other expenses, reimbursements and support not detailed above will require approval by Council on a case by case basis.

## **8. CLAIMS FOR REIMBURSEMENT**

Elected Members are required to provide details of kilometres travelled and the nature of the travel and/or evidence of expenses incurred to support all reimbursements claimed. Procedures have been established which require evidence of expenses incurred to support reimbursements claimed. Details are not required of expenses paid out of the Elected Member's allowance.

The use of Council facilities, support and/or services by Council Members for campaign or election purposes is not permitted under any circumstance on the basis it is not necessary or expedient to the performance or discharge of a Council Member's official functions or duties under the LGA Act. The use of such facilities would be a breach of the Council's Caretaker Policy.

All claims for reimbursement must be submitted to the Chief Executive Officer on the forms provided for this purpose. All claims for reimbursement are restricted and contained within the appropriate budget lines.

## **9. REGISTER OF ALLOWANCES AND BENEFITS**

Pursuant to Section 79 of the Act, the Chief Executive Officer will maintain a record of the annual allowances paid to Elected Members under Section 76 of the Act, any expenses reimbursed to a Member under Section 77(1)(b) of the Act and any other benefits paid or provided to a Member, with the exception of reimbursements paid under Section 77(1)(a) of the Act. Copies will be provided to interested parties at no cost.

## **10. REVIEW AND EVALUATION**

Elected Members allowances will be reviewed annually.

This entire policy will lapse and be reviewed following the next General Election.

## **11. AVAILABILITY OF THE ELECTED MEMBERS ALLOWANCES AND SUPPORT POLICY**

This policy will be available for inspection on Councils website at [www.cooberpedy.sa.gov.au](http://www.cooberpedy.sa.gov.au) and at Council's principal office during ordinary business hours.

Copies will be provided to interested parties upon request at no cost.